

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

GOVERNMENT'S MEMORANDUM IN AID OF SENTENCING

The United States of America, by and through its attorneys, Darcie N. McElwee, United States Attorney for the District of Maine, and Andrew McCormack, Assistant United States Attorney, submits this memorandum in aid of sentencing.

At sentencing, the government recommended a sentence of 36 months which is at the high end of the advisory sentencing guidelines range determined in the 2nd Revised Presentence Report. (Dkt. #39 at ¶70). The government maintains this 36 month recommendation. The government recognizes, however, that the Court has the discretion to upwardly depart from the defendant's criminal history category based on an underrepresentation of the defendant's criminal history and/or to sentence outside of any advisory guidelines range based on the factors enumerated in 18 U.S.C. § 3553(a).

Dated at Bangor this 3rd day of August, 2022.

Respectfully submitted,

DARCIE N. MCELWEE
United States Attorney

BY: /s/ ANDREW MCCORMACK
ANDREW MCCORMACK
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT
CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2022, I filed the GOVERNMENT'S MEMORANDUM IN AID OF SENTENCING with the Clerk of Court using the CM/ECF system that will send notification of such filing to the following:

Kaylee Folster, Esq., at kjf@vbk.com
Attorney for Patrick Mullen

DARCIE N. MCELWEE
United States Attorney

BY: /s/ Andrew McCormack
Andrew McCormack
Assistant United States Attorney
United States Attorney's Office
202 Harlow Street, Room 111
Bangor, Maine 04401
Tel: 207-945-0373
Andrew.mccormack@usdoj.gov